

action of little avail. In actions at law the general practice is to try all the issues in a case at one time; and it is only in exceptional instances where there are special and persuasive reasons for departing from this practice that distinct causes of action asserted in the same case may be made the subjects of separate trials. Whether this reasonably may be done in any particular instance rests largely in the court's discretion. See *Connecticut Mutual Life Insurance Co. v. Hillmon*, 188 U. S. 208, 210.

We conclude that Miller was not entitled as of right to a separate trial and that on this record it cannot be said that the court erred in refusing him a second opportunity to establish his claim, and in effect dismissing it.

*Judgment affirmed.*

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STATE OF OKLAHOMA *v.* STATE OF TEXAS.

UNITED STATES, INTERVENER.

IN EQUITY.

No. 20, Original.

ORDERS ENTERED DECEMBER 12, 1921.

*Granting leave to intervene.*

The motion of the Grand Oil & Developing Company, submitted December 9, 1921, is granted to the extent that said company is hereby given leave to file a petition in intervention setting up its rights and claims in and to any portion of the territory in dispute by reason of the controversy as to the location of the boundary line between the States of Oklahoma and Texas; without waiver of the right of said company to object to the jurisdiction of this court over the subject-matter.

308.

Orders.

*Approving report of Special Master on certain claims, and directing payments by Receiver, etc.* See 256 U. S. 603.

Upon consideration of the report of Frederick S. Tyler, Special Master, respecting the claims of J. R. Armstrong, et al., on a certain fund in the hands of the Receiver, and derived by him from Receiver's wells numbered 157, 162 and 170, and it appearing that copies of said report have been mailed to counsel for the respective claimants and that no exceptions or objections thereto have been presented;

It is ORDERED that said report be, and it is hereby, approved and that the Receiver be, and he is hereby authorized and directed to pay over said fund to the following persons and in the following amounts, to wit: [Here follow the names and amounts,] with interest upon each of said amounts at the rate of three per centum per annum from December 1st, 1920; provided, however, that there shall first be deducted from said fund and paid to Frederick S. Tyler the sum of one thousand and forty-eight dollars and thirty-eight cents to cover in full his services and expenses as such master in connection with said fund and the claims to it; and the amount so paid to him shall be deducted *pro rata* from the several awards hereby made to the claimants above named.

And it is FURTHER ORDERED that the payment and acceptance of said several awards as herein made shall operate and be taken as a release and discharge of the Receiver by such claimants of all claims on and to the fund so disbursed and distributed